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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,380	10/10/2001	Richard M. Miller-Smith	GB 000149	1286

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

CHO, HONG SOL

ART UNIT PAPER NUMBER

2662

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 09/975,380	Applicant(s) MILLER-SMITH, RICHARD M.	
	Examiner Hong Cho	Art Unit 2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4-8 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>06112002, 10102001</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Note: One of foreign references (EPO 09130592) is not considered for the examination because it is not available.

Drawings

1. New corrected drawings are required in this application because legends are not complete for figures 1-3. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112, Second paragraph

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claims 1 and 3, it is not clear what is meant by “*overlapping addresses*” and “*to reallocate addresses of the signal portions*”.

Claims 2-8 dependent on claim 1 are similarly rejected.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 and 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Candelore (U.S 6298400) in view of Chaney (U.S 5852290).

Re claims 1 and 7, Candelore discloses a program receiver with tuners receiving data from one or more service providers (*a decoder comprising a plurality of tuners for receiving data from different sources*, column 3, lines 51-53; figure 2, element 110), demultiplexers separating the system information from the content in the program data (*demultiplexer controlled to select a portion of a received signal corresponding to a selected channel or channels*, column 4, lines 34-40; figure 2, element 227) and a decoder receiving descrambled bitstreams from the multiplexers and separate the system information from the content (*a remultiplexer configured to determine selected signal*

portions that have overlapping addresses, to reallocate addresses of the signal portions so there is no overlap, column 4, lines 42-46; figure 2, element 230). Candelore fails to disclose multiplexing the signal portions for supply to a common interface slot. Chaney discloses coupling the descrambler output to the data output of smart card (column 9, lines 44-47). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Candelore to have common interface to a smart card to allow connection of a Conditional Access Module to a digital TV receiver or indeed any other digital video device for improved access control.

Re claim 4, Candelore discloses all of the limitations of the base claim, but fails to disclose each remultiplexer connected to a different common interface slot. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Candelore to have multiple common interfaces to smart cards to allow connection of a Conditional Access Module to a digital TV receiver or indeed any other digital video device for improved access control.

Re claims 5 and 6, Candelore discloses switching a signal portion in dependence on system information (*content*) or packet identifier (*source*) (column 4, lines 36-40).

Re claim 8, Candelore discloses parsing the program data for packet identifiers (*a new index stream is created and embedded within the signal portion*, column 4, lines 36-40).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Candelore in view of Chaney and further in view of park.

Re claim 2, Candelore and Chaney disclose all of the limitations of the base claim, but fail to disclose routing the multiplexed signal portions through any inserted common interface card and then on to a demultiplexer for dividing the multiplexed signal portions and routing at least a part of the divided output to its destination. Park discloses a smart card decrypting the transported encryption information to transport to a demultiplexer, wherein a compressed video and audio signals, control signal and data are distributed to a video decoder and audio decoder, respectively (column 4, lines 12-25). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Candelore to have routing function of Park in distributing multiplexed signals so that signals would be transmitted to the correct destination module and be reproduced for display.

Allowable Subject Matter

6. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement for reasons for allowance.

7. Claim 3 is allowable over the prior art of record since the cited references taken individually or in combination fail to particularly teach or fairly suggest a decoder further comprising a switching unit connecting the demultiplexers to a number of remultiplexers, the switching unit being arranged to accept signal portions from the demultiplexers and to

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selectively switch each signal portion to one or more of the remultiplexers, each remultiplexer being configured to determine those signal portions that have overlapping addresses, to reallocate addresses of the signal portions so there is no overlap, and to multiplex the signal portions for supply to a common interface slot.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - US Patent (6591419) to Barry et al
 - US Patent (6295321) to Lyu
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Cho whose telephone number is 571-272-3087.


The examiner can normally be reached on Mon-Fri during 7 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3088.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

hc
Hong Cho
Patent Examiner
6/30/2005


JOHN PEZZLO
PRIMARY EXAMINER